

whether resolving the issue of public access or egress to the land would require acquisition of an easement, right-of-way, or fee title from—

- (A) another Federal agency;
- (B) a State, local, or Tribal government; or
- (C) a private landowner.

**(5) Nomination process**

In preparing a priority list under this section, the Secretary shall provide an opportunity for members of the public to nominate parcels for inclusion on the priority list.

**(c) Access options**

With respect to land included on a priority list described in subsection (b), the Secretary shall develop and submit to the Committees on Appropriations and Energy and Natural Resources of the Senate and the Committees on Appropriations and Natural Resources of the House of Representatives a report on options for providing access that—

- (1) identifies how public access and egress could reasonably be provided to the legal boundaries of the land in a manner that minimizes the impact on wildlife habitat and water quality;
- (2) specifies the steps recommended to secure the access and egress, including acquiring an easement, right-of-way, or fee title from a willing owner of any land that abuts the land or the need to coordinate with State land management agencies or other Federal, State, or Tribal governments to allow for such access and egress; and
- (3) is consistent with the travel management plan in effect on the land.

**(d) Protection of personally identifying information**

In making the priority list and report prepared under subsections (b) and (c) available, the Secretary shall ensure that no personally identifying information is included, such as names or addresses of individuals or entities.

**(e) Willing owners**

For purposes of providing any permits to, or entering into agreements with, a State, local, or Tribal government or private landowner with respect to the use of land under the jurisdiction of the government or landowner, the Secretary shall not take into account whether the State, local, or Tribal government or private landowner has granted or denied public access or egress to the land.

**(f) Means of public access and egress included**

In considering public access and egress under subsections (b) and (c), the Secretary shall consider public access and egress to the legal boundaries of the land described in those subsections, including access and egress—

- (1) by motorized or non-motorized vehicles; and
- (2) on foot or horseback.

**(g) Effect**

**(1) In general**

This section shall have no effect on whether a particular recreational use shall be allowed on the land included in a priority list under this section.

**(2) Effect of allowable uses on agency consideration**

In preparing the priority list under subsection (b), the Secretary shall only consider recreational uses that are allowed on the land at the time that the priority list is prepared.

(Pub. L. 116-9, title IV, § 4105, Mar. 12, 2019, 133 Stat. 759.)

**Editorial Notes**

REFERENCES IN TEXT

The Federal Land Policy and Management Act of 1976, referred to in subsec. (a)(3)(D), is Pub. L. 94-579, Oct. 21, 1976, 90 Stat. 2743, which is classified principally to chapter 35 (§1701 et seq.) of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of Title 43, Public Lands, and Tables.

**Statutory Notes and Related Subsidiaries**

DEFINITION OF “SECRETARY”

Secretary means the Secretary of the Interior, see section 2 of Pub. L. 116-9, set out as a note under section 1 of this title.

SUBCHAPTER III—MISCELLANEOUS

**§ 7931. Respect for treaties and rights**

Nothing in this title<sup>1</sup> or the amendments made by this title—<sup>1</sup>

- (1) affects or modifies any treaty or other right of any federally recognized Indian Tribe; or

- (2) modifies any provision of Federal law relating to migratory birds or to endangered or threatened species.

(Pub. L. 116-9, title IV, § 4401, Mar. 12, 2019, 133 Stat. 766.)

**Editorial Notes**

REFERENCES IN TEXT

This title, referred to in text, means title IV of Pub. L. 116-9, Mar. 12, 2019, 133 Stat. 756, which enacted this chapter and amended section 704 of this title, section 504 of Title 5, Government Organization and Employees, section 2412 of Title 28, Judiciary and Judicial Procedure, and section 1304 of Title 31, Money and Finance. For complete classification of title IV to the Code, see Tables.

**§ 7932. No priority**

Nothing in this title<sup>1</sup> or the amendments made by this title<sup>1</sup> provides a preference to hunting, fishing, or recreational shooting over any other use of Federal land or water.

(Pub. L. 116-9, title IV, § 4402, Mar. 12, 2019, 133 Stat. 766.)

**Editorial Notes**

REFERENCES IN TEXT

This title, referred to in text, means title IV of Pub. L. 116-9, Mar. 12, 2019, 133 Stat. 756, which enacted this chapter and amended section 704 of this title, section 504 of Title 5, Government Organization and Employ-

<sup>1</sup> See References in Text note below.

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